

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA, and)
WILLIAM J. SANDER)
REVENUE OFFICER of the)
INTERNAL REVENUE SERVICE,)**

Petitioner,)

v.)

SCOTT LUMLEY,)

Respondent.)

**CIVIL ACTION NO. 3:10-cv-00803
JUDGE NIXON**

NOTICE OF VOLUNTARY DISMISSAL

Notice is hereby given that the United States of America and William J. Sander, Revenue Officer of the Internal Revenue Service, hereby voluntarily dismisses the above-entitled action without prejudice, pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, and hereby requests that the hearing currently scheduled for October 28, 2010, at 10:00 a.m. be cancelled.

Respectfully submitted,

JERRY E. MARTIN
United States Attorney
Middle District of Tennessee

By: s/ Steve Jordan
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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October, 2010, a copy of the foregoing NOTICE OF DISMISSAL was filed electronically. Notice of this filing will be sent to the following, if registered, by operation of the Court's electronic filing system. If not registered, notice was mailed by regular U.S. mail, postage-prepaid, to:

Scott Lumley
913 Myatt Industrial Drive
Madison, Tennessee 37115

s/ Steve Jordan
STEVE JORDAN
Assistant United States Attorney